

1 Paul Engstrom
2 2190 E. Mesquite Ave
3 Pahrump, NV 89060
4 *In Proper Person*

5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 **UNITED STATES OF AMERICA,**

8
9 Plaintiff,

10 VS.

11
12 **PAUL ENGSTROM**

13 Defendant,

CASE NO: 2:21-cr-00190-APG-EJY

MOTION FOR EXTENSION OF TIME

14 CERTIFICATION: This motion is timely.

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16 This motion is filed by Paul Engstrom, in proper person, for the purpose of requesting the
17 Court to grant an extension of time to file a Notice of Appeal of its Order Denying Motion for
18 Review of Magistrate Judge's Detention Order (ECF No. 89). This request is made pursuant to
19 Federal Rules of Appellate Procedure Rule 4(b)(4).
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MEMORANDUM OF POINTS AND AUTHORITIES**A. Procedural Background**

On June 23, 2021, Mr. Engstrom made his initial appearance on a Criminal Complaint charging him with one count of Conspiracy to Distribute Cocaine, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(ii) and one count of Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 1956(h). At this hearing the Magistrate Judge found that Mr. Engstrom was not a danger to the community, but that there were no conditions or combination of conditions that would reasonably assure his appearance as required, therefore detaining Mr. Engstrom pending trial. On July 6, 2021, the grand jury returned a nine-count indictment, closely following the allegations in the criminal complaint.

On July 29, 2021, Mr. Engstrom, through counsel, filed a Motion to Reopen Detention (ECF No. 30) based on new information, i.e. videos obtained by defendant that contradicted the government's account of defendant's conduct on the day of his arrest. Magistrate Judge Weksler found that there was new information presented that had a material bearing on the issue of whether Mr. Engstrom was a flight risk and reopened detention, setting a hearing for August 4, 2021. After considering the new information, Magistrate Judge Weksler ruled on August 17, 2021, orally denying the motion and found that the Government had continued to prove, by a preponderance of the evidence, that no condition or combination of conditions will reasonably assure the appearance of the person as required.

On October 6, 2021, Mr. Engstrom filed a Motion for District Court Review of Magistrate Judge's Detention (ECF No. 63), to which the government responded (ECF No. 76) and Mr. Engstrom replied (ECF No. 82). On November 24, 2021, District Court Judge Andrew Gordon denied Mr. Engstrom's motion (ECF No. 89). Defendant has subsequently filed a Motion to Reconsider the Court's Order denying Mr. Engstrom's Motion.

B. Legal Standard

Federal Rules of Appellate Procedure Rule 4(b)(4) allows a defendant to request an extension of time to file an appeal from the district court, stating "Motion for Extension of Time. Upon a finding of excusable neglect or good cause, the district court may — before or after the time has expired, with or without motion and notice — extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b)."

C. Argument

Defendant requests an extension to file the required notice of appeal of the Court's Order Denying Motion for Review of Magistrate Judge's Detention Order (ECF No. 89) for good cause.

Good cause being:

1. Defendant has filed a Motion to Reconsider said Order.
2. Defendant received from the court clerk the Court's order on December 2, 2021, and has spent all available time drafting a motion for reconsideration, which needs to be mailed no later than December 3, 2021 to be timely filed. Defendant requires more time to research and consider whether an appeal would be appropriate.

CONCLUSION

For all of the foregoing reasons, defendant requests that the court grant an extension of 30 days to file the Notice of Appeal in regards to the Courts Order Denying Motion for Review of Magistrate Judge's Detention Order (ECF No. 89), extending the filing deadline to January 7, 2021.

DATED this ^{7th}~~2nd~~ day of December, 2021.

Respectfully Submitted,



Paul Engstrom

In Proper Person

Nevada Southern Detention Center
2190 E Mesquite Ave
Pahrump, NV 89060

This correspondence originated
from a detention facility.
The facility is not responsible
for the contents herein.

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COUNSEL PARTIES OF RECORD	
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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

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